

### **REMARKS**

Claims 1-37 have been canceled without prejudice and new Claims 38-46 are added to more particularly point out and distinctly claim that which Applicants regard as the invention. Thus, upon entry of the above amendments, Claims 38-46 will be pending. The new claims are fully supported in the instant specification, see e.g., on page 8 lines 24-26 and on page 13 lines 6-9. None of the new claims introduce new matter.

### **THE RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121**

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following fourteen separate inventions:

- I. Claims 1-4, drawn to methods of treating HBV infection by modulating a Src kinase gene with antisense, ribozyme or triplex molecules, classified in class 514, subclass 44.
- II. Claims 1 and 5-11, drawn to methods of treating HBV infection by modulating a Src kinase with a Src kinase inhibitor, classified in class 514, subclass 1.
- III. Claims 1, 5, and 12-14, drawn to methods of treating HBV infection by modulating a Src kinase with a Src kinase dominant negative mutant, classified in class 514, subclass 2.
- IV. Claims 1, 5, 12 and 15, drawn to methods of treating HBV infection by modulating a Src kinase with a phosphotyrosine containing peptide, classified in class 514, subclass 7.
- V. Claims 1, and 16-19, drawn to methods of treating HBV infection by modulating HBx with a Ras protein inhibitor, classified in class 514, subclass 789.

- VI. Claims 1, 16-18, and 20-21, drawn to methods of treating HBV infection by modulating HBx with a MAP kinase inhibitor, classified in class 514, subclass 789.
- VII. Claims 1, 16-18, and 22, drawn to methods of treating HBV infection by modulating HBx with a Myc protein inhibitor, classified in class 514, subclass 789.
- VIII. Claims 23 and 24, drawn to a pharmaceutical composition comprising an inhibitor of Src kinase activation, classified in class 514, subclass 789.
- IX. Claim 25, drawn to a pharmaceutical composition comprising an HBx inhibitor, classified in class 514, subclass 789.
- X. Claims 26-29, drawn to methods of screening for antiviral agents by Src kinase signaling pathway component enzymatic activity assays, classified in class 435, subclass 4.
- XI. Claims 30-31, drawn to methods of screening for antiviral agents by detection of HBV viral particles, classified in class 435, subclass 5.
- XII. Claims 32-33, drawn to methods of screening for antiviral agents by screening for cell viability in the presence of agents which induce cell death in response to Src kinase activation, classified in class 435, subclass 32.
- XIII. Claims 34-35, drawn to yeast cells transformed with a Src kinase gene, classified in class 435, subclass 254.2.
- XIV. Claims 36 and 37, drawn to methods of screening for antiviral agents by screening for Src kinase activity of a yeast cell transformed with a Src kinase gene, classified in class 435, subclass 6.

Applicants respectfully traverse the requirement for restriction to fourteen inventions, and in the alternative, request a modification of the restriction as disclosed below.

The claims have been amended to add new Claims 38 to 46 which reflect the inhibition of HBV replication comprising administering a compound that inhibits upstream activators of the Src kinase cascade.

Applicants assert that a search of HBV replication in combination with the Src kinase would identify any relevant art pertaining to methods of inhibiting HBV replication through the administration of a compound which inhibits upstream activators of Src kinase. Groups II and VIII could therefore be considered together and would combine methods of treating HBV infection by modulating a Src kinase with a Src kinase inhibitor with pharmaceutical compositions comprising an inhibitor of Src kinase activation. New Claims 38 to 46 reflect the subject matter of Groups II and VIII, and Applicants request that the restriction be modified and new Claims 38 to 46 examined together.

Entry of the foregoing amendments and consideration of the remarks is respectfully requested. The claims are believed to be patentable and free of the art. Early allowance is respectfully requested.

Respectfully submitted,

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Enclosure